

E.I. Special Benefits

as of January 2023 (outside Québec)

EI Benefit	Maximum Duration	Employer Top-up
Sickness	26 weeks (new)	Employer must apply for approval of EI SUB plan
Maternity	15 weeks for pregnancy.	Allowed
Parental (including adoption)	Standard Benefit at 55% benefit rate. 35 weeks (+ 5 weeks = 40 weeks if parents share leave). Majority apply for this 1-year option at higher benefit rate (e.g. 15 weeks maternity + 35/40 weeks parental).	Allowed
	Option of Extended Benefit at 33% benefit rate. 61 weeks (+ 8 = 69 weeks if parents share leave) spreads total benefits over a longer period of time.	Allowed
Family Critical Caregiver	35 weeks for critically ill or injured child	Allowed
	15 weeks for critically ill or injured adult	Allowed
Compassionate Caregiver	26 weeks for seriously ill family member with significant risk of death within 6 months	Allowed

Different Types of Special Benefits

EI provides Special benefits for time off work due to specific life events:

- » **Sickness Benefit:** illness, injury, quarantine
- » **Maternity Benefit**
- » **Parental Benefit:** caring for a newborn or newly adopted child
- » **Family Critical Caring Benefit:** caring for a critically ill or injured person
- » **Compassionate Caring Benefit:** caring for a family member seriously ill with a significant risk of death.

Qualifying Rules for Special Benefits

- claimant has paid EI premiums in the past 52 weeks
- meets qualifying and entitlement conditions including a minimum of 600 EI insured hours of work in the 52 weeks before the start of the claim or since the start of claimant's last claim, whichever is shorter.
- If claimant exhausted a previous EI claim in the last 52 weeks, they must re-qualify with another 600 EI insured hours.
- Benefits are limited to a 52-week benefit period for each claim. Some exceptions: www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/digest/chapter-1/extend-benefit-period.html#a1_5_2

Benefit Payments

- 1 week 'waiting period' for which no EI benefit is payable. Employers may make payments during this week, subject to certain conditions
- Standard benefit rate of 55% of normal earnings (maximum \$650 weekly in 2023)
- A few parents choose extended parental benefits but a 33% benefit rate will apply, spreading the total benefit entitlement over a longer period of time. If parents choose this option, they cannot change it mid-claim.
- A small number of claimants qualify for a Family Supplement because their net family income is \$25,921 or less and the family receives Canada Child Benefits.

Employer Top-ups and SUB plans for Special Benefits

- Top-ups are not considered extra earnings so are not deducted from EI benefits, if they don't exceed 100% of weekly earnings when combined with EI benefits (a top-up of 95% accounts for the tax difference). The employer finances the top-up and chooses/negotiates the top-up rate and duration of eligibility.
- Top-ups are allowed for maternity, parental including adoption, compassionate care or family caregiver benefits. They do not have to be registered with Service Canada. Claimants must indicate they'll receive a top-up on their EI application.
- Top-ups can be paid during the EI waiting period without affecting the claim.

- Top-ups are not allowed for Sickness benefits which require the employer to apply for approval of a Supplemental Unemployment Benefit Plan (SUB). www.canada.ca/en/employment-social-development/programs/ei/ei-list/ei-employers-supplemental-unemployment-benefit.html
- Survey of EI top-up arrangements: www.benefitscanada.com/benefits/absence-management/more-canadian-employers-topping-up-maternity-leave-than-parental-leave-survey/

1. Sickness Benefits

- unable to work for medical reasons (illness, injury, quarantine, medical condition that prevents the claimant from working). EI may request a medical certificate.
- regular weekly earnings have decreased by more than 40% for at least 1 week
- available for up to 26 weeks (as of December 18, 2022).
- to access the full 26 weeks requires sick leave of at least 27 weeks (26 plus 1 waiting week). EI does not provide the right to sick leave. Provincial, territorial and federal labour standards provide some limited protections. Workplaces covered by a collective agreement may negotiate additional leave entitlements.

2. Maternity Benefits

- 15 weeks of maternity benefits are available as early as 12 weeks before the due date but not later than the 17th week after the due date or date of birth.
- A health complication during pregnancy may qualify for EI sickness benefits. It may be to the claimant's advantage to apply for EI sickness benefits and wait to apply for EI maternity benefits, extending the life of the claim.

3. Parental Benefits

- A lower benefit rate applies to extended parental leave as the total benefit amount is being spread out over a longer period.
- If parents share parental benefits they are eligible for extra weeks of benefits.

4. Caregiving Benefits

- The weeks of benefits are available during the 52 weeks after the date the person is certified by a doctor or nurse practitioner to be critically ill or injured, or in need of end-of-life care. They can be taken in separate periods.
- The weeks of benefits can be shared by eligible caregivers, at the same time or one after another.
- A caregiver does not have to be related to or live with the person but must be considered to be like a family member.
- Family caregiver for children = caring for a critically ill or injured person under 18
- Family caregiver for adults = caring for a critically ill or injured person 18 or over
- Compassionate caregiver = caring for a person requiring end-of-life care.

For more information <https://www.canada.ca/en/services/benefits/ei.html>